

Notice of Allowability

Application No.

09/982,838

Applicant(s)

GATTO, JOSEPH G.

Examiner

Narayanswamy Subramanian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/25/2006.
2. ☒ The allowed claim(s) is/are 97-103, 106-112, 114 and 117-126.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is in response to Applicant's communications filed on April 25, 2006. Amendments to claims 97-99, 101, 107, 120, 125 and 126 and cancellation of claims 95-96 and 104-105 have been entered. Claims 97-103, 106-112, 114 and 117-126 are pending in this application.

Allowable Subject Matter

2. The following is a statement of reasons for the indication of allowable subject matter:

3. The prior art of record (Brown et al, Journal of Portfolio Management, Spring 1980) teaches a method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events, comprising: generating, for each of the multiple analysts, for one or more events, on one or more given days, a relative accuracy score by comparing the accuracy of an analyst's estimate for an event on a given day relative to the average accuracy of the estimates for analysts having estimates for the event on the given day, wherein generating the relative accuracy score for each analyst further comprises providing a numerator that compares an analyst's error on the given day with the average analyst error on that day, providing a denominator that normalizes the numerator and generating individual relative accuracy ratings for each of the multiple analysts, for one or more events.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step wherein the numerator comprises the difference between an analyst's absolute error in an

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estimate and the average absolute error among a plurality of analysts' estimates. For these reasons claim 97 is deemed to be allowable over the prior art of record.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step wherein the denominator comprises a function of a plurality of values to insure that the relative accuracy score is normalized in proportion to a plurality of factors to meaningfully compare relative accuracy scores. For these reasons claim 98 is deemed to be allowable over the prior art of record.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step wherein the normalizing step normalizes the relative accuracy score around a neutral value. For these reasons claim 99 is deemed to be allowable over the prior art of record, and claim 100 is allowed by dependency.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step wherein the denominator is determined by selecting a maximum value from a plurality of values. For these reasons claim 120 is deemed to be allowable over the prior art of record, and claims 121-124 are allowed by dependency.

The prior art of record (Brown et al, Journal of Portfolio Management, Spring 1980) teaches a method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events, comprising: generating, for each of the multiple analysts, for one or more events, at one or more points in time, a relative accuracy score by comparing the accuracy of an analyst's estimate for an event at a point in time relative to the average accuracy of the estimates for analysts having estimates for the event at that point in time; and generating individual relative accuracy ratings for each of the multiple analysts, for one or more events.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step of aggregating the relative accuracy score for an analyst over more than one point in time for a period of time, for a single event, to generate an analyst event score. For these reasons claim 101 is deemed to be allowable over the prior art of record, and claims 102-103, 106 and 109-112 are allowed by dependency.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step of aggregating multiple relative accuracy scores for one analyst for one security for multiple events. For these reasons claim 107 is deemed to be allowable over the prior art of record, and claims 108, 114 and 117-119 are allowed by dependency.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a computer-implemented method for measuring the relative accuracy of multiple analysts' estimates at one or more points in time for one or more events including the step of mapping relative accuracy scores to an accuracy rating system, wherein a relative accuracy score that falls within a predetermined range of relative accuracy scores is assigned an accuracy rating corresponding to that range, and the accuracy rating has corresponding symbols, where the number of symbols signifies the relative accuracy of an analyst. For these reasons claim 125 is deemed to be allowable over the prior art of record, and claim 126 is allowed by dependency.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


(a) Klein (US Patent 5,845,285) (December 1, 1998) Computer System and Method of Data Analysis

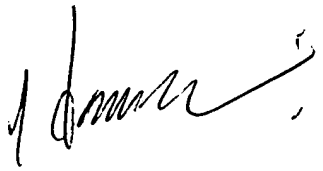
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dr. N. Subramanian 
June 9, 2006


HANI M. KAZIMI
PRIMARY EXAMINER